



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,717	03/12/2001	Terry B. Storm	01948-051003

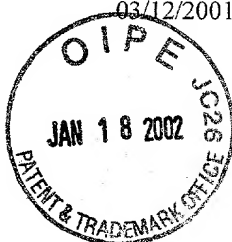
CONFIRMATION NO. 2953

## FORMALITIES LETTER



\*OC00000006534065\*

LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804



Date Mailed: 09/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/24/2002 BSAYASI1 00000070 09804717

01 FEB 2005

65.00 OP

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Vicki Rubin-Kelly*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

---

*A copy of this notice **MUST** be returned with the reply.*

*BS*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Receipt/81  
✓

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Terry B. Strom et al.                      Art Unit : Unknown  
Serial No. : 09/804,717                                      Examiner : Unknown  
Filed : March 12, 2001  
Title : METHOD AND COMPOUNDS FOR PREVENTION OF GRAFT REJECTION

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed September 10, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

- ☒ Check in payment of \$65 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ Sequence Listing; and
- ☒ Sixteen (16) Sheets of Drawings with appropriate margins.

The Notice states that the signature of Vicki Rubin-Kelly is missing from the oath or declaration. However, Vicki Rubin-Kelly is not an inventor of the subject matter now claimed. A copy of Applicants' Petition concerning inventorship, filed in the parent application, is enclosed. Accordingly, the present declaration is complete and correct.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

December 10, 2001  
Mary E. Jacoby  
Mary E. Jacoby  
Typed or Printed Name of Person Signing Certificate

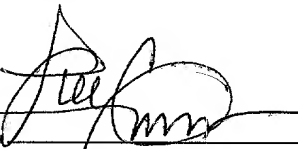
Applicant : Terry B. Strom et al.  
Serial No. : 09/804,717  
Filed : March 12, 2001  
Page : 2

Attorney's Docket No.: 01948-051003

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 10, 2001



Lee Crews, Ph.D.  
Reg. No. 43,567

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20353911.doc

UNITED STATES PATENT AND TRADEMARK OFFICE  
DOCUMENT CLASSIFICATION BARCODE SHEET



# Preliminary Amendments

1/18/02

3



48

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Terry B. Strom *et al.* Art Unit : Unknown  
Serial No. : 09/804,717 Examiner : Unknown  
Filed : March 12, 2001  
Title : METHOD AND COMPOUNDS FOR PREVENTION OF GRAFT REJECTION

Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows:

In the specification:

Replace the paragraph beginning at page 19, line 21, with the following paragraph.

--Figs 5A, 5B, and 5C are graphs illustrating the effect of transforming growth factor (TCR) crosslinking on proliferation of the IS-2.15 clone. Each point represents the mean of triplicate determinations  $\pm$  SEM. As a positive control, the same experimental procedure was undertaken using  $10^5$  NOD spleen cells.--

Replace the paragraph beginning at page 20, line 8, with the following paragraph.

--Figs. 8A and 8B are graphs illustrating that IS-2.15 supernatant does not modify IL-2Ra expression on HT-2 cells.--

Replace the paragraph beginning at page 21, line 1, with the following paragraph.

--Figs. 15A-15K are diagrams of constructs expressing CTLA4-Ig under the control of various promoters.--

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 10, 2001  
Date of Deposit

Mary E. Jacoby  
Signature

Mary E. Jacoby  
Typed or Printed Name of Person Signing Certificate

Applicant : Terry B. Strom et al.  
Serial No. : 09/804,717  
Filed : March 12, 2001  
Page : 2

Attorney's Docket No.: 01948-051003

Replace the Sequence Listing filed with the application with the paper copy of the  
Sequence Listing filed herewith.

Remarks

In response to the Notice to File Missing Parts, Applicants have provided a paper copy of the Sequence Listing and a computer readable form. The present Amendment requests that the present Sequence Listing be inserted into the specification in place of the Sequence Listing filed with the application. In connection with the Sequence Listing, filed herewith is a verified statement under 37 CFR 1.821(f). In accordance with 37 CFR 1.821(g), the undersigned hereby states that the Sequence Listing contains no new matter.

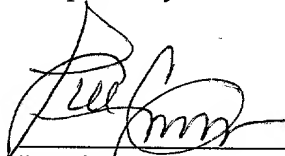
The present amendment also brings the description of Figs. 5, 8, and 15 into conformance with the drawings submitted herewith, which are labeled Figs. 5A, 5B, 5C; Figs. 8A and 8B; and Figs. 15A-15K. No new matter has been added.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be examined. Enclosed is a check for \$55.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 10 2001



Lee Crews, Ph.D.  
Reg. No. 43,567

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906



**Version with markings to show changes made**

In the specification:

Paragraph beginning at page 19, line 21 has been amended as follows:

[Fig. 5 is a set of three graphs] Figs 5A, 5B, and 5C are graphs illustrating the effect of transforming growth factor (TCR) crosslinking on proliferation of the IS-2.15 clone. Each point represents the mean of triplicate determinations  $\pm$  SEM. As a positive control, the same experimental procedure was undertaken using  $10^5$  NOD spleen cells.

Paragraph beginning at page 20, line 8 has been amended as follows:

[Fig. 8 is a graph] Figs. 8A and 8B are graphs illustrating that IS-2.15 supernatant does not modify IL-2Ra expression on HT-2 cells.

Paragraph beginning at page 21, line 1 has been amended as follows:

[Fig. 15 is a diagram] Figs. 15A-15K are diagrams of constructs expressing CTLA4-Ig under the control of various promoters.